



SERVING PEOPLE
WHO SERVE WISCONSIN

Testimony of Jennifer Donnelly
Senate Committee on Agriculture and Higher Education
Public Hearing on S.B.353
December 17, 2007

Chairperson Vinehout and Committee Members,

The Office of State Employment Relations' (OSER) is offering support for the creation of collective bargaining rights for the faculty and academic staff of the University of Wisconsin System.

Governor Doyle strongly supports the rights of all workers to organize and collectively bargain for their wages and conditions of employment. He is also a strong supporter of the UW System and its employees. It is appropriate that the faculty and academic staff at the various UW System campuses have an opportunity to choose for themselves whether they wish to form collective bargaining units to represent their interests.

The creation of collective bargaining rights for the faculty and academic staff of the UW System would provide additional avenues for faculty and academic staff to express their views and concerns on matters relating to their employment. Wisconsin state government currently has more than 35,000 unionized employees represented by 19 different bargaining units. These bargaining units raise important issues on behalf of employees and serve as employees' advocates. The bargaining process can provide a level playing field for both sides to express their views on issues of concern and also provide a forum for truly collaborative problem solving.

The bill, as introduced, calls for the Board of Regents (BOR) to act as the employer for purposes of bargaining with the faculty and academic staff, and also calls for close collaboration between the BOR and OSER. OSER currently works closely with UW System in developing the pay plan recommendations for the faculty and academic staff and would look forward to supporting the BOR and UW System in this new endeavor. Continued close collaboration will be essential as OSER will retain responsibility for submitting the pay plan for any non-represented faculty and staff, as well as retaining responsibility for acting as the employer in bargaining with the two graduate assistant bargaining units, the Teaching Assistants Association and the Milwaukee Graduate Assistants Association.

The Committee may wish to carefully examine the bill's current provisions for the creation of 15 faculty bargaining units, and 15 academic staff bargaining units for a total of 30 new units. Although the bill provides that bargaining units may choose to consolidate, it does not require that consolidation. It is likely that many issues would be common to the faculty and academic staff across the various campuses. It may also be more efficient and productive for both the represented employees and the UW System and State to provide for a more consolidated

bargaining unit structure. Consolidated bargaining units would also be consistent with the State Employment Labor Relations Act (SELRA) which requires collective bargaining units be structured in such a way as to avoid excessive fragmentation whenever possible. Other areas the Committee may wish to examine include the bill's variations with current SELRA provisions in the areas of: management rights, fact-finding procedures in the event of an impasse and unfair labor practices.

OSER would be happy to work with the UW System and the bill's authors on these issues. OSER would also seek to work with the UW System to ensure that there is relative consistency between the classified and academic staff positions that are close counterparts.

The Office of State Employment Relations strives to maintain a good working relationship with all state employees, whether represented by unions or not. OSER supports the creation of collective bargaining rights for the faculty and academic staff of the UW System.



December 17, 2007

MEMORANDUM

TO: Senate Committee on Agriculture and Higher Education

FROM: Janet R. Swandby, Lobbyist

RE: **Opposition to Senate Bill 353**

ASPRO is the only professional organization that represents the 11,000 Academic Staff of the UW System, and **ASPRO is opposed to Senate Bill 353.**

Contrary to what you will hear from its supporters, SB 353 is not a simple bill granting collective bargaining rights. In its 41 pages, SB 353 outlines very specifically how collective bargaining units would be created across the UW System. The bill would create a faculty unit and an academic staff unit at each campus. **The bill creates separate and unequal bargaining units which give the faculty a bargaining advantage over the academic staff.** The language allows the faculty unit on a campus to join with the academic staff unit, but 30% of the faculty must request a referendum on combining. AND THEN there is a second hurdle -- more than 50% of those who vote in the referendum must approve of combining the two units.

Supporters of the bill will testify that 14 of the 15 UW campuses passed resolutions supporting collective bargaining rights. What these supporters will not tell you is:

1. These were **faculty not academic staff** governance bodies.
2. These faculty resolutions were passed in **2001**.
3. In **2007**, seven elected governance bodies of the academic staff passed resolutions **opposing collective bargaining proposals which separate the faculty from the academic staff.** These campuses were:

UW-Colleges
UW-LaCrosse
UW-Madison
UW-Milwaukee
UW-Oshkosh
UW-Stevens Point
UW-Stout

Throughout the history of the UW System, the academic staff and the faculty have been a single unit of professionals who have been treated the same with regard to salary and benefits.

Academic staff in the UW System have the same post-graduate degrees as the faculty. They work in partnership with the faculty. One category cannot work successfully to achieve the mission of the University without the other.

ASPRO finds it curious that those who are championing collective bargaining rights for the faculty and the academic staff are supporting SB 353 which would separate the two professional groups and give the collective bargaining advantage to the faculty.

ASPRO asks you to oppose SB 353 unless it can be amended to assure that the faculty and academic staff will be able to bargain as one single unit.

I was not able to stay long enough to speak today, but I would like you to know about the plight of Instructional Academic Staff at UW-Eau Claire. I presume Instructional Academic staff at other UW institutions have similar concerns.

Although we are an integral part of this university, contributing in many ways above and beyond our contractual duties, we have absolutely no job security. We are issued one year no-intent-to-renew contracts every year, even though there is a long standing, proven need for us in our departments. Many of us have been teaching here over 10 years - on one or two year no-intent to renew contracts. We have been told that the problem is that our positions ~~are~~ aren't in the "Red Book" - in other words, we don't exist as far as the UW System is concerned. Because the system has not allocated funds for these positions, our administrators have to scramble at the last minute to get the monies (a retirement here or there frees up funds) prior to issuing our contracts. Several of us have actually started teaching our classes in the fall, before getting our contracts.

We need collective bargaining rights so that we are given the respect and consideration we are due as loyal employees who put our students ahead of ourselves. We are committed to the excellence of this institution. We deserve job security.

Julie Adler
Senior Lecturer



AFT-Wisconsin
A Union of Professionals

AFT • AFL-CIO

Bryan Kennedy, PRESIDENT

6602 Normandy Lane • Madison, WI 53719
608/662-1444 • 800/362-7390 • fax: 608/662-1443
www.aft-wisconsin.org

AFT-WISCONSIN COUNCILS

Graduate Employees

Higher Education

K-12 Teachers

PSRP

State Employees

WTCS

Retiree Chapter

Testimony of Bryan Kennedy
to the
Senate Committee on Agriculture and Higher Education
On behalf of
TAUWP/AFT-Wisconsin

December 17, 2007

Good morning. My name is Bryan Kennedy, and I come before you today to urge you to pass SB 353, the Collective Bargaining Rights Bill.

I appear before you in my official capacity as the President of AFT-Wisconsin, a union that represents over 14,000 public employees throughout the state; however, I also come before you as a member of TAUWP and a faculty member of UW-Milwaukee.

As you know, UW faculty and academic staff are the only Wisconsin state employees who do not have the right to decide if they would like to collectively bargain. The people with whom we work on a daily basis – including graduate employees, support staff, technical staff, and custodial staff – enjoy this fundamental right. The right to collectively bargain is a fundamental civil right that has been denied to UW faculty and academic staff for too long.

It is important to acknowledge that SB 353 does not create new bargaining units for UW faculty and academic staff; rather, it extends to UW academic staff and faculty the right to decide whether or not they wish to collectively bargain on issues of wages, benefits and other conditions of employment. Further, the bill establishes that faculty and academic staff on each campus would be allowed to decide if they wanted to bargain together or separately.

When the most recent pay plan for UW faculty and academic staff was handed down by OSER, faculty and administration alike expressed dismay that the “real dollar” pay decrease would result in the UW’s inability to be competitive. Their concern is well-founded: by denying UW academic staff and faculty a meaningful voice in their terms of employment, the University of Wisconsin System will continue to lose its ability to recruit and retain the researchers, librarians and teachers that make it great.

Passing the Collective Bargaining Rights Bill is not only the fair thing to do, it is the right thing to do for the UW System as a whole. I strongly urge you to support UW faculty and academic staff’s right to decide.



STATE SENATOR PAT KREITLOW

Monday, December 17
Senate Committee on Higher Education and Agriculture
Public Hearing on SB 353

**Statement from Senator Pat Kreitlow in favor of SB 353 – Collective Bargaining for
UW – System Faculty and Staff**

I want to thank Senator Vinehout and the Senate Committee on Higher Education and Agriculture for holding this hearing today. I'm attending meetings in the eastern end of my district today, and I apologize for not being able to attend.

The UW-System is the engine that drives Wisconsin's economy, and it's the staff and faculty that make that engine run. We cannot continue to deny a basic right like collective bargaining to this group of dedicated employees without eventually paying a severe price. Everyday we leave this issue unattended; it gets more difficult to retain the talented staff needed to keep our university system ahead of our competitors. Eventually, even the most loyal staff will be forced to move elsewhere because of basic economics. And where will that leave us? With a second rate university system? That would be unacceptable and cannot be allowed to happen.

In short, I support SB 353 because it would make our universities and our state stronger. I hope today's hearing will help move this important legislation forward. Thank you again to the committee and especially to Senator Vinehout for this opportunity.

####

Collective Bargaining Speech—11.30.07

I'm sorry I am unable to meet with the Senate Committee on Agriculture and Higher Education today for the public hearing on Senate Bill 353. If not for my 60th birthday party, I would certainly be in Eau Claire with you all.

Senate Bill 353 is a legislative priority of mine, and I want to thank Sen. Vinehout for convening the committee on this important matter and for offering to read my testimony.

Let me start by saying that the right to form a union is a universal human right. It's a fundamental civil right, and it is one of the primary foundations of a truly democratic society.

The bi-partisan bill that we are announcing today extends that right to UW faculty and academic staff. It doesn't dictate anything to the faculty, staff or students of this state. It simply offers faculty and academic staff the freedom to choose whether they would like to form a union and bargain collectively.

The proposal is far from novel. In fact, this legislation will bring the University of Wisconsin system in line with most of its peers. In fact, every state that borders Wisconsin grants collective bargaining rights to faculty and academic staff, and a majority of states in the nation extend these same rights to this set of employees.

The bill does not create any new bargaining units. It simply grants certain workers the right to decide whether to collectively bargain

– a decision that will be made through a democratic vote of faculty and academic staff.

Finally, the current proposal allows flexibility in the composition of the bargaining units, providing university staff and faculty a choice of forming these units together or separately.

Faculty and academic staff have waited long enough for the opportunity to join a union. This fundamental civil right, enjoyed by the vast majority of private and public employees, should be extended to the professional staff at the UW before this session is out. I look forward to working with a bi-partisan group of legislators to accomplish this goal.

Thanks again to the committee for holding this public hearing.

Senate Vinehout will now entertain any questions you might have.

Testimony of Patricia Terry
to the
Senate Committee on Agriculture and Higher Education

December 17, 2007

Twelve and one-half years ago, when I was considering job offers, I made a decision to become a faculty member at UWGB.

Why UWGB? Because I am a strong believer in state universities as the means for advancement of every citizen who strives for higher education.

Over 20 years ago, I chose to attend the University of Texas because my middle class parents could afford to send me to the state supported university of my choice. There, I received an excellent education in a school highly ranked in my field without putting my family far into debt, as a private university would have done. My experience was so positive that I continued my graduate education at another state supported university, this time in Colorado, even though tuition was not a factor in my decision.

I am essentially the first generation in my family to earn college degrees and what made that possible was the high quality of education offered at an affordable price by state universities across this country.

The state of Wisconsin also has an outstanding state university system. However, this system is in peril. It has one of the lowest retention rates for faculty and academic staff in the country. We must not forget that the excellence of a university lies heavily on the backs of its faculty and staff. Because we are not empowered by the right to collective bargaining, as faculty in our surrounding states are, it has become difficult for UW universities to recruit and retain the best faculty nationwide.

We are losing many fine professors every year due to this lack of empowerment and the below average compensation that accompanies a lack of empowerment. If we citizens of the state of Wisconsin want our state university system to remain among the best in the nation, we must empower faculty with the right to bargain collectively. Only then will we be able to recruit and retain the high quality of professors and researchers that we have enjoyed.